

Authority: North York Community Council Report No. 9, Clause No. 34, adopted as amended,
by City of Toronto Council on November 30, December 1 and 2, 2004
Enacted by Council: February 16, 2005

CITY OF TORONTO

BY-LAW No. 145-2005

To amend the former City of North York By-law No. 7625 with respect to lands bounded by Finch Avenue West, Greenview Avenue, Hendon Avenue and Duplex Avenue.

WHEREAS authority is given to Council of the City of Toronto by Sections 34 and 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this By-law.
2. Section 64.20-A of By-law No. 7625 is amended by adding the following subsection:

“64.20-A(152) RM6(152)

DEFINITIONS

APARTMENT HOUSE DWELLING

- (a) For the purpose of this exception, “apartment house dwelling” shall include, in addition to dwelling units having access only from an internal corridor system, ground level dwelling units having access directly from the outside or from an internal corridor system or any combination thereof, and a two-storey podium with commercial uses along the Finch Avenue frontage.

ESTABLISHED GRADE

- (b) For the purpose of this exception, “established grade” shall mean the average of the elevations, as fixed by the City, of the centre lines of Greenview Avenue and Duplex Avenue at the mid-points of the lot lines abutting the road allowance, being the geodetic elevation of 193 metres.

GROSS SITE

- (c) For the purpose of this exception, “gross site” shall mean Parts 2, 3, 4, 5, 6, 7, 8 and 11 of Plan 66R-21470, comprising an area of 12,268.5 m².

GROSS FLOOR AREA

- (d) For the purpose of this exception, “gross floor area” shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies, but excluding:
- (i) any part of the building used for mechanical floor area;
 - (ii) any space used exclusively for motor vehicle parking; and
 - (iii) the floor area of unenclosed residential balconies.

MECHANICAL FLOOR AREA

- (e) For the purpose of this exception, “mechanical floor area” shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, such as heating, ventilation, air conditioning, electrical, plumbing, fire protection and elevator equipment.

NET SITE

- (f) For the purpose of this exception, “net site” shall mean the gross site minus Parts 2, 4, 5, 7, 8 and 11 of Plan 66R-21470 conveyed for road widening purposes to the City of Toronto, being Parts 3 and 6 of Plan 66R-21470 and comprising an area of 11,635.2 m² as depicted on Schedule “RM6(152)”.

PERMITTED USES

- (g) The only permitted uses shall be:

RESIDENTIAL

apartment house dwellings and accessory uses including private recreational amenity areas;

NON-RESIDENTIAL

business and professional offices;
clubs;
commercial recreation facilities;
commercial and private schools;
custom workshops making articles or products to be sold at retail on the premises;*
day nurseries;*
dry-cleaning and laundry collecting establishments;*
financial institutions including banks;*
fitness centres;

outdoor cafes;*
personal service shops;*
professional medical offices;
recreational uses;
restaurants including take-out;*
retail stores;*
service shops*;
social facilities;
studios;*

and accessory uses thereto.

All non-residential uses shall be restricted to the two storey podium and be located within 30 metres of the property line along Finch Avenue West. The ground floor of the podium shall be restricted to those uses identified with an asterisk (*), which will be considered retail and service commercial uses.

EXCEPTION REGULATIONS

MAXIMUM GROSS FLOOR AREA

- (h) Except as provided for in subsection (v) of this exception, the maximum gross floor area permitted on the net site shall not exceed 49,074 m² attributable to the gross site, including 2,533 m² attributable to lands of area 633.3 m² conveyed for road widening purposes.

NUMBER OF DWELLING UNITS

- (i) The maximum number of dwelling units shall be 764, of which a minimum of 25 per cent of the total number of dwelling units built shall be subject to the following maximum floor area restrictions:
- (i) 70 m² for a bachelor unit or a one-bedroom unit;
 - (ii) 80 m² for a two-bedroom unit;
 - (iii) 120 m² for a three-bedroom unit;
 - (iv) any combination of the above.

BUILDING HEIGHT

- (j) The building height shall not exceed the maximum heights in metres and number of storeys shown on Schedule "RM6(152)" excluding mechanical penthouses and stairwells to access the roof.

BUILDING ENVELOPE

- (k) No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelope identified on Schedule “RM6(152)”. Notwithstanding this requirement, the following projections are permitted:
- (i) open balconies, roof overhangs and cornices may project beyond the building envelope to a maximum of 0.9 m;
 - (ii) exterior stairways, porches and decks may project beyond the building envelope to a maximum of 2.1 m; and
 - (iii) canopies may project beyond the building envelope to a maximum of 3.5 m.

FINCH AVENUE WEST FRONTAGE

- (l) All retail and service commercial uses located on the ground floor of the podium level shall be directly accessible from the Finch Avenue West public sidewalk. The maximum frontage width of any such use shall be 14 metres.

PARKING

- (m) Parking spaces shall be provided within the net site in accordance with the following requirements:
- (i) a minimum of 1.00 parking spaces per dwelling unit, including 0.10 parking spaces per dwelling unit reserved for visitor use;
 - (ii) a maximum of 1.20 parking spaces per dwelling unit, including 0.10 parking spaces per dwelling unit reserved for visitor use;
 - (iii) a minimum of 0.90 parking spaces per 100 m² of gross floor area devoted to non-residential uses;
 - (iv) a maximum of 1.13 parking spaces per 100 m² of gross floor area devoted to non-residential uses.

No surface parking spaces shall be permitted.

LOADING

- (n) Two (2) loading spaces shall be provided on the net site, as shown on Schedule “RM6(152)”.

LOT COVERAGE

- (o) The maximum permitted building coverage is 84 per cent of the net site.

LANDSCAPING

- (p) A minimum of 200 m² of landscaping shall be provided on the net site.

OUTDOOR AMENITY SPACE

- (q) A minimum of 1.5 m² per dwelling unit of private outdoor recreational space shall be provided on the podium rooftop.

YARD SETBACKS

- (r) The minimum yard setbacks shall be as shown on Schedule “RM6(152)”.

PROVISIONS NOT APPLICABLE

- (s) The provisions of Sections 6A(8), 6(9), 15.6, 15.8, and 20-A.2.4.1 do not apply.

INCREASED DENSITY

- (t) Matters which are to be provided pursuant to Section 37 of the *Planning Act*, R.S.O 1990, c.P. 13, as amended, in order to permit the increased maximums in gross floor area authorized under subsection (v) of this exception are:

SECTION 37 AGREEMENT

- (u) The owner of the subject lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to, the agreements referred to above shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto in exchange for the increased density hereinafter set out:

- (i) a minimum of 1.50 m² per dwelling unit of indoor recreational amenity space;
- (ii) a minimum of 636 m² of retail and service commercial space on the ground floor podium level, fronting onto and directly accessible from Finch Avenue West, located within 30 metres of the property line;
- (iii) either
 - a monetary contribution towards the cost of constructing and furnishing 3,603 m² of public recreational centre, fully finished, fixtured and furnished,

or

a monetary contribution towards the cost of acquiring lands necessary for completion of planned service roads, associated road network and buffer areas in the North York Centre,

or any combination thereof.

The amount of the monetary contribution shall be equal to the market value, based on land value, of the gross floor area specified in (v)(iii) below, as determined by Council on the advice of the Director of Real Estate Services.

ADDITIONAL GROSS FLOOR AREA

- (v) Notwithstanding subsection (h) of this exception, additional gross floor area may be permitted on the net site shown on Schedule “RM6(152)”, limited to the following:
 - (i) a maximum of 1.50 m² per dwelling unit of indoor recreational amenity space, provided that the area is used exclusively for recreational purposes;
 - (ii) a maximum of 636 m² of retail and service commercial space on the ground floor podium level, provided that the area is used exclusively for retail and service commercial purposes;
 - (iii) a maximum of 14,412 m² attributable to the payment specified in (u)(iii) above.

SEVERANCE

- (w) Notwithstanding any future severance, partition or division of the net site shown on Schedule “RM6(152)”, the provisions of this By-law shall apply to the whole of the net site as if no severance, partition or division occurred.”
- 3.** Section 64.20-A of By-law No. 7625 is amended by adding Schedule “RM6(152)” attached to this By-law.

ENACTED AND PASSED this 16th day of February, A.D. 2005.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "1"

This is Schedule "1" to By-Law _____
passed the _____ day of _____, 20 ____

(Sgd.)

CLERK

(Sgd.)

MAYOR



Location: Part of Lots 26, 27, 62, 72 & 73, Lots 28 to 36, and Lots 63 to 71, Registered Plan 2419

File No. 03_193501

Prepared by: A.K.

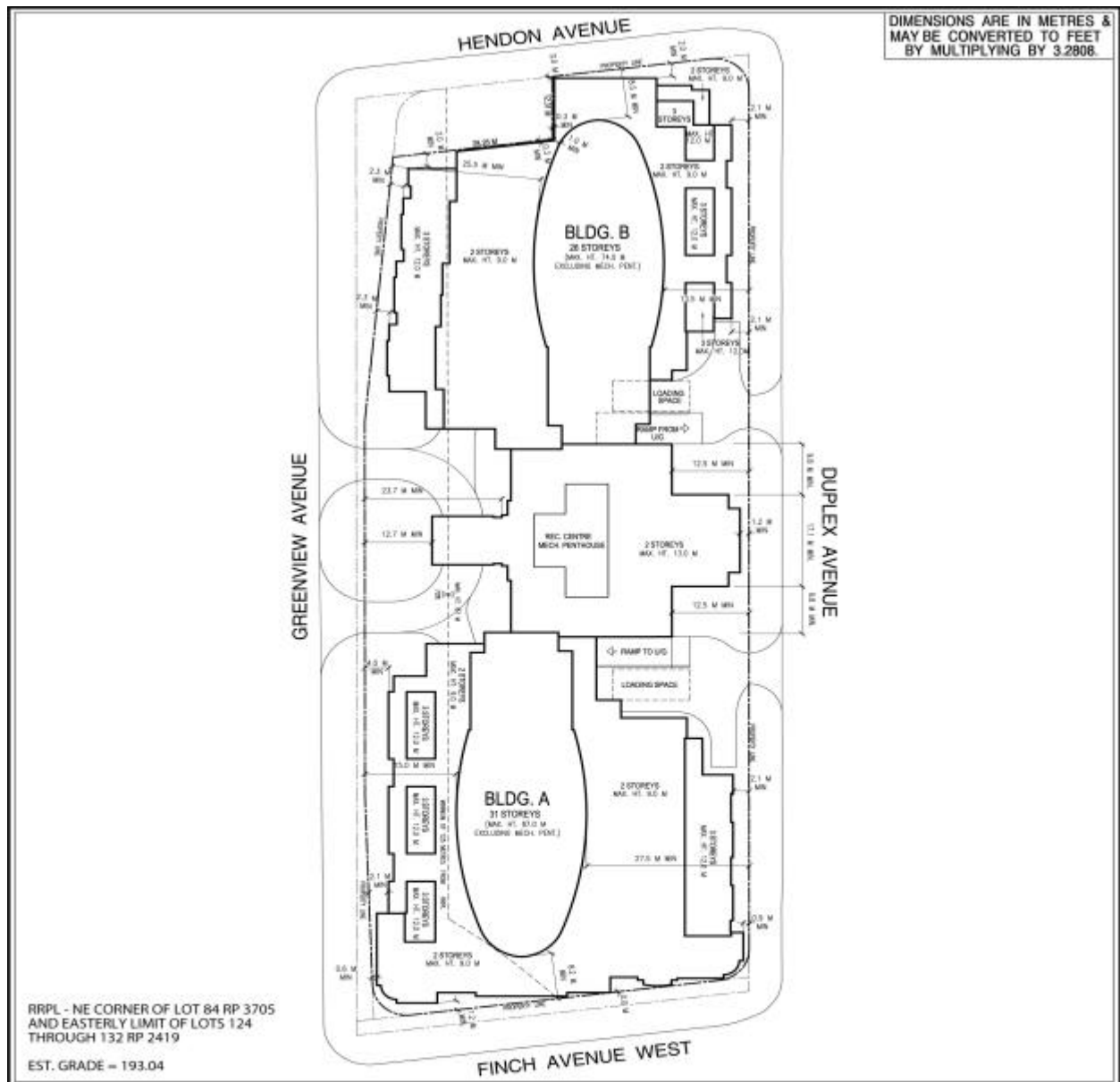
Approved by: P.B.

Date: Nov. 24, 2004

Filename: RM6(152)_1

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.
 Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.

SCHEDULE "RM6(152)"



This is Schedule "RM6(152)" to By-Law _____
passed the _____ day of _____, 20 _____

(Sgd.)

CLERK

(Sgd.)

MAYOR

Location: Part of Lots 26, 27, 62, 63, 72 & 73, Lots 28 to 36, and Lots 64 to 71, Registered Plan 2419

File No. 03_193501

Prepared by: A.K.

Approved by: C.C.

Date: Feb. 9, 2005

Filename: RM6(152).ai

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.
Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.

